

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0085

**Development description:** alterations to attached outbuilding to facilitate use as additional living accommodation

**Site address:** Northend House, Hayburn Wyke, Cloughton

**Parish:** Cloughton

**Case officer:** Mrs Jill Bastow

**Applicant:** Mr Paul Dixon  
Northend House, Hayburn Wyke, Cloughton, Scarborough, YO13 0AU

**Agent:** Victoria Wharton Architectural Design  
7 Red Scar Lane, Newby, Scarborough, YO12 5RH

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text						
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.						
2	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents:  <table border="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Proposed Arrangements</td> <td>22/07 3 A</td> <td>26 May 2022</td> </tr> </tbody> </table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Proposed Arrangements	22/07 3 A	26 May 2022
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Proposed Arrangements	22/07 3 A	26 May 2022						
3	WPDR08	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no additional windows shall be inserted in the accommodation hereby permitted without a further grant of planning permission being obtained from the Local Planning Authority.						
4	MATS42	All new window frames and glazing bars shall be of timber construction and no other materials shall be used without the prior written consent of the Local Planning Authority.						

### Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park.
3	WPDR00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in

		line with North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
4	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
<b>Informative(s)</b>		
<b>Informative number</b>	<b>Informative code</b>	<b>Informative text</b>
1	MISCINF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
2	MISCINF12	Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England <a href="http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx">http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx</a> . Further information on wildlife legislation relating to birds can be found at <a href="http://www.rspb.org.uk/images/WBATL_tcm9-132998.pdf">www.rspb.org.uk/images/WBATL_tcm9-132998.pdf</a> .

		If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or <a href="mailto:conservation@northyorkmoors.org.uk">conservation@northyorkmoors.org.uk</a> .
3	INFO0	Swift ( <i>Apus apus</i> ) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; <a href="https://www.swift-conservation.org/">https://www.swift-conservation.org/</a> with additional swift box ideas from Action for Swifts; <a href="http://actionforswifts.blogspot.com/search/label/nestbox%20design">http://actionforswifts.blogspot.com/search/label/nestbox%20design</a>
4	INFO0	In order to minimise light spill from the development hereby permitted so as to protect the nocturnal wildlife and the quality of the dark night skies above the National Park in accordance with Policy ENV8 of the North York Moors Local Plan, the applicant is encouraged to ensure the new glazing/rooflights serving the development hereby approved are treated or shielded to minimise light spill (through tinting, the application of solar control film or use of electronically controlled blinds or smart glass).

## Consultation responses

### Parish

No objection

### Third party responses

No comments received

### Publicity expiry

Advertisement/site notice expiry date: 8 June 2022



Rear elevation of North End Cottage with outbuilding for conversion to far end

## Background

Northend Cottage is an isolated property located along the cinder track halfway between Hayburn Wyke and Cloughton Wyke. It is a white painted stone property under a pantile roof positioned perpendicular to the track, with the front elevation facing south. To the front and rear are extensive gardens along with a paddock to the rear where there are several storage buildings/stables.

Planning permission is sought to convert the small stone outbuilding attached to the east gable of the cottage into additional living accommodation, utilising the existing door openings to the front and rear elevations to provide windows. Two rooflights are proposed to the rear elevation.

## Main issues

The most relevant policy of the Local Plan in the determination of this application is Policy CO17 which supports development within the domestic curtilage of dwellings subject to a number of criteria. The scale, height, form, position and design of the new development should not detract from the character and form of the original dwelling or its setting in the landscape; it should not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and it should reflect the principles outlined in the Authority's Design Guide.

In the case works to improve or extend an existing outbuilding, the original structure must be worthy of retention and capable of improvement; and it should not lead to future proposals for additional outbuildings to replace the existing use.

This proposal for the conversion of the attached stone outbuilding to the main dwelling is considered to satisfy the criteria of Policy CO17. The building contributes to the form and character of the host property and is therefore worthy of retention. The scheme makes good use of the existing openings and limits the number of new openings to two rooflights on the rear roof slope to match those of the adjacent extension.

The loss of this outbuilding for storage is not considered likely to lead to future proposals for additional outbuilding given the presence of existing storage sheds within the site.

There are no nearby residential properties that might otherwise be affected by the proposal.

In view of the above the proposal is considered to meet the requirements of Policy CO17 and approval is recommended.

## Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.